

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: William M. JOHNS et al.

SERIAL NO: 09/765,431

GAU: 2661

FILED: January 22, 2001

EXAMINER: Unassigned

FOR:

SYSTEM AND METHOD FOR CONTINUOUS MONITORING AND MEASUREMENT
OF PERFORMANCE OF COMPUTERS ON NETWORK

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicants wish to disclose the following information.

REFERENCES

- ☒ The applicants wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a copy of applicant's pending application(s) or issued patent(s) which may be related to the present application. These documents are listed on form PTO-1449, also attached.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited for the first time in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited for the first time in any communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.
- ☐ This Information Disclosure Statement is being filed within three months of the filing date of the subject patent application.
- ☒ This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits.

PETITION

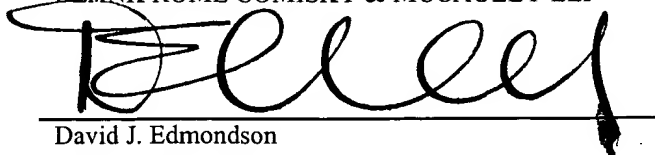
- ☐ Applicant(s) hereby request consideration of the attached information. A check is attached in the amount of the Petition fee required under 37 CFR §1.17(i)(1).

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 23-2185. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

BLANK ROME COMISKY & MCCAULEY LLP

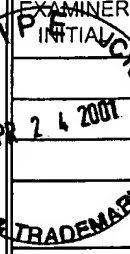


David J. Edmondson
Attorney of Record

Registration No. 35,126

Customer No. 2779
THE FARRAGUT BUILDING
SUITE 1000
900 17TH STREET, NW
WASHINGTON, DC 20006
TEL (202) 530-7400
FAX (202) 463-6915

April 24, 2001

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 111788.00101		SERIAL NO. 09/765,431	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT William M. JOHNS et al.			
				FILING DATE January 22, 2001		GROUP 2661	
U.S. PATENT DOCUMENTS							
EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
	AA	6,003,079	12/14/1999	Friedrich et al.			
	AB	6,021,439	02/01/2000	Turek et al.			
	AC	6,038,216	03/14/2000	Packer			
	AD	6,041,332	03/21/2000	Miller et al.			
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
	FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO			
	AO 0 905 621	03/1999	European	X			
	AP WO 99/63439	12/1999	WIPO	X			
	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW	Ferguson et al., <i>Quality of Service in the Internet: Fact, Fiction, or Compromise?</i> , 5/11/2000, pp 1-18					
	AX	QoS forum.com <i>Quality of Service FAQ</i> , 5/9/1999, pp 1-24					
	AY	end-end Internet performance assessments, 5/11/2000, pp 1-7					
	AZ						
Examiner				Date Considered			
<small>*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>							